

# 106<sup>th</sup> TN General Assembly

## First Regular Session



Wednesday, March 11, 2009

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### SENATE

#### COMMITTEE REPORTS

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 11:00 a.m. –  
Rec. for pass., ref to Calendar – SB's 443, 1588.  
Rec. for pass. if am., ref to Calendar – SB's 1538, 2107.  
Action def. – SB's 2019, 853, 2006, 2129.  
Ref. to Gen. Sub. – SB's 846, 988, 1630, 2088, 2089, 1121.  
GOVERNMENT OPERATIONS – SHR #12 – 9:30 a.m. –  
Rec. for pass., ref to Calendar – SB's 1018, 998, 342, 359, 1037.  
Rec. for pass. if am., ref to Calendar – SB 378.  
Action def. – SB's 434, 198, SJR 112, SB 1001.  
JUDICIARY – SHR #12 – 1:00 p.m. –  
Rec. for adopt., ref to Calendar – SJR 127.  
Action def. – SB's 291, 1907, 683, 2340, 437, 801, 2018.

#### CALENDARS FOR THURSDAY, MARCH 12, 2009

##### Consent

1. **SJR 0120 by \*Crowe**  
Memorials, Death - Matti Laitinen -
2. **SJR 0121 by \*Johnson**  
Memorials, Public Service - Katlyn Vacanti, Prudential Spirit of Community Award -
3. **SJR 0123 by \*Burks**  
Memorials, Recognition - Smellage Cemetery Board -
4. **SJR 0124 by \*Burks**  
Memorials, Personal Occasion - William H. Hendley, 58th birthday -
5. **SJR 0128 by \*Henry, Herron**  
Memorials, Death - William Dortch Oldham -
6. **SJR 0129 by \*Finney L**  
Memorials, Death - Thomas Wayne Fisher -
7. **SJR 0130 by \*Finney L**  
Memorials, Retirement - Ruby Schoonover -
8. **SJR 0131 by \*Crowe**  
Memorials, Death - Mary Lou Reeves Brockwell -
9. **SJR 0132 by \*Crowe**  
Memorials, Recognition - John Melton -

(Consent Calendar cont.)

- 10. HJR 0165 by \*Hackworth, Ferguson, Armstrong, Barker, Bass, Bell, Bone, Borchert**  
Memorials, Recognition - Oak Ridge High School Science Bowl Team -
- 11. HJR 0167 by \*Fincher**  
Memorials, Recognition - Putnam County Fair, AAA fair champion -
- 12. HJR 0173 by \*Dennis**  
Memorials, Sports - Kim Qualls, Bowler of the Year -
- 13. HJR 0175 by \*Ferguson**  
Memorials, Personal Occasion - Mike Miller, 50th birthday -
- 14. HJR 0176 by \*Hackworth, Armstrong, Barker, Bass, Bell, Bone, Borchert, Brooks K**  
Memorials, Sports - Clinton Middle School -
- 15. HJR 0178 by \*Eldridge, Armstrong, Barker, Bass, Bell, Bone, Borchert, Brooks K**  
Memorials, Professional Achievement - Ulf Nilsson, International Rock-a-Billy Hall of Fame -
- 16. HJR 0181 by \*Matlock, Ferguson**  
Memorials, Recognition - Dr. Houston Lowry -
- 17. HJR 0182 by \*Swafford**  
Memorials, Recognition - L.G. Agee -
- 18. HJR 0183 by \*Casada, Sargent**  
Memorials, Public Service - Katlyn Vacanti, Prudential Spirit of Community Award -

#### Consent #2

- 1. \*SB 0179 by \*Jackson (HB 0592 by \*Coleman)**  
Ethics - As introduced, requires ethics commission to issue written advisory opinions to members of the general assembly upon request. - Amends TCA Title 3, Chapter 6, Part 1.
- 2. \*SB 0600 by \*Burchett, Woodson (HB 1659 by \*Armstrong, Tindell)**  
Alcoholic Beverages - As introduced, allows alcoholic beverages to be sold for on premises consumption in unincorporated areas of a county with a charter form of government that has held a countywide local option election approving liquor-by-the-drink. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

#### Regular

- 1. \*SB 0083 by \*Stanley, Gresham (HB 0311 by \*Sargent)**  
Employees, Employers - As introduced, prohibits local governments from requiring private employer to pay its employees any wage not required to be paid to such employee under state or federal law. - Amends TCA Title 50, Chapter 2, Part 1.
- 2. SB 0431 by \*Bunch (\*HB 0537 by \*Bell)**  
Tobacco, Tobacco Products - As introduced, requires posting of signs stating that smoking is permitted in establishments, instead of signs stating that smoking is prohibited. - Amends TCA Title 39, Chapter 17, Part 18.
- 3. \*SB 0540 by \*Ketron, Black, Gresham (HB 1510 by \*Todd)**  
Public Employees - As introduced, provides that, during negotiations between representatives of public employee unions and representatives of state or local governmental entities, planning or strategy sessions of either set of representatives when meeting with the entity it represents are not open to the public. - Amends TCA Section 8-44-201.
- 4. \*SB 0547 by \*Norris, Black (HB 0845 by \*Mumpower)**  
Election Laws - As introduced, requires two additional members be temporarily added to the state election commission if the majority party changes as a result of the 2008 regular November election or any other regular November election every four years thereafter. - Amends TCA Title 2, Chapter 11.
- 5. \*SB 0682 by \*Woodson (HB 1161 by \*Haynes, Evans)**  
Employees, Employers - As introduced, clarifies that the civil cause of action for the retaliatory discharge of an employee for reporting illegal activities applies to state employees, private employees, and certain persons paid by the federal government. - Amends TCA Title 50, Chapter 1.

(Regular Calendar cont.)

**6. SB 1033 by \*Johnson (\*HB 1056 by \*Lynn, Kernell, Cobb J)**

Sunset Laws - As introduced, extends advisory committee on women's health, June 30, 2015; requires committee to appear before government operations joint subcommittee by August 2010, to update the joint subcommittee on advisory committee activities. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1.

**7. \*SB 1886 by \*Kyle (HB 1641 by \*Jones U)**

Election Laws - As introduced, places certain restrictions on members of the state election commission and their immediate family including prohibition on lobbying, holding elective office, and participating in election campaigns. - Amends TCA Title 2, Chapter 11, Part 1.

**8. SB 2105 by \*Woodson, Burchett (\*HB 1840 by \*Haynes)**

Registers of Deeds - As introduced, allows Knox County register to redact social security numbers on recorded documents maintained on computers or removable computer storage media. - Amends TCA Section 10-7-515.

**9. \*SB 0201 by \*Bunch, Ford, O. (HB 0587 by \*Coleman)**

Law Enforcement - As introduced, permits director of judicial district drug task force to petition court for destruction, sale, law enforcement use, or other disposition of confiscated weapons. - Amends TCA Title 39, Chapter 17, Part 13.

**10. SB 0548 by \*Norris (\*HB 0416 by \*Lundberg)**

Attorneys at Law - As introduced, clarifies that certain government employees are not prohibited from providing pro bono legal services. - Amends TCA Title 8; Title 16 and Title 23.

**11. \*SB 1214 by \*Black, Burks, Ford, O., Woodson, Gresham (HB 1877 by \*Richardson, Maggart)**

Hospitals and Health Care Facilities - As introduced, clarifies that existing residents as well as new admissions qualify for hospice care in an assisted-care living facility; clarifies that hospice services are pursuant to a patient care plan. - Amends TCA Title 68.

**SENATE CONVENES AT 9:00 A.M., THURSDAY, MARCH 12, 2009**

# HOUSE

## COMMITTEE REPORTS

### CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

Rec. for pass., ref to C&R – HB 805.

Action def. – HB's 804, 66.

### EDUCATION – HHR #16 – 11:00 a.m. –

Rec. for adopt., ref to C&R – HJR's 60, 51, 115.

Action def. – HJR 33, HB's 248, 1107, 921, 849.

### GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –

Rec. for pass., ref to C&R – HB's 1008, 1009, 1024, 1033, 1041, 1049, 1074, 1088, 1101, 1084.

Action def. – HB's 581, 1095.

Taken off notice – HB 1273.

### JUDICIARY – HHR #31 – 8:30 a.m. –

Rec. for pass., ref to C&R – HB's 46, 815, 390.

Rec. for pass. if am., ref to C&R – HB's 962, 82, 70, 1452.

Rec. for pass., ref to FW&M – HB's 351, 582, 392, 63.

Rec. for pass. if am., ref to Govt. Ops. – HB 62.

Rec. for adopt., ref to C&R – HR 18.

Action def. – HB's 1665, 960, 620, HJR 32, HB's 703, 959, 218.

## SUBCOMMITTEE REPORTS

### BUDGET – HHR #29 – 11:00 a.m. –

Rec. for pass. – HB 298.

Rec. for pass. if am. – HB's 213, 216.

Action def. – HB's 85, 111, 509.

Taken off notice – HB 1290.

### CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

Rec. for pass. – HB's 748, 54, 1820.

Rec. for pass. if am. – HB's 814, 483, 621, 626, 623, 268, 284.

Action def. – HB's 314, 517, 520, 1663, 250, 798, 823, 525, 526, 1120, 584, 1395, 1209, 263, 264, 266.

Taken off notice – HB's 1675

### HEALTH CARE FACILITIES – HHR #30 – 12:30 p.m. –

Rec. for pass. if am. – HB's 702, 1877.

Action def. – HB's 684, 1737.

### INDUSTRIAL IMPACT – HHR #30 – 10:00 a.m. –

Rec. for pass. if am. – HB 978.

Action def. – HB 475.

Taken off notice – HB 1553.

### K-12 – HHR #16 – 10:00 a.m. –

Action def. – HB's 92, 393, 967, 976, 1208, 1388, 1493, 1530, 557, 561, 812, 821, 836, 1441, 868, 947, 1213, 1364, 1371, 1647, 285, 376.

Taken off notice – HB 1866.

### LOCAL GOVERNMENT – HHR #29 – 1:30 p.m. –

Rec. for pass. – HB's 273, 956, 2043, 291, 306, 307.

Rec. for pass. if am. – HB's 347, 225, 1357, 310, 1177.

Action def. – HB's 1549, 1160, 1609, 108, 304.

Taken off notice – HB 309.

### PARKS & TOURISM – HHR #16 – 12:30 p.m. –

Action def. – HB's 1308, 2111.

(Subcommittee Reports cont.)

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

Rec. for pass. – HB's 1653, 305.

Rec. for adopt. – HR 30.

Action def. – HB's 38, 129, 204, 813, 1850, 395, HJR 5.

Taken off notice – HB 23.

## **CALENDARS FOR THURSDAY, MARCH 12, 2009**

### **Consent**

**1. HJR 0092 by \*Matheny**

Naming and Designating - "Motorcycle Safety and Awareness Month," May 2009 - The Abstract summarizes HJR0092 as introduced.

**2. HJR 0186 by \*Shepard**

Memorials, Recognition - Johnny Majors - The Abstract summarizes HJR0186 as introduced.

**3. HJR 0187 by \*Harwell**

Memorials, Personal Achievement - Matthew Daniel Newborn, Eagle Scout - The Abstract summarizes HJR0187 as introduced.

**4. HJR 0188 by \*McDonald**

Memorials, Recognition - Jackie Davis Kelley - The Abstract summarizes HJR0188 as introduced.

**5. HJR 0189 by \*Watson**

Memorials, Professional Achievement - Eric Stansberry, 2008-2009 ITEA Teacher Excellence Award for Tennessee - The Abstract summarizes HJR0189 as introduced.

**6. HJR 0190 by \*McCormick, Dean**

Memorials, Retirement - Edward M. Foster - The Abstract summarizes HJR0190 as introduced.

**7. SJR 0117 by \*Tracy**

Memorials, Retirement - NC1 (AW/SW) David Stuart Huber - The Abstract summarizes SJR0117 as introduced.

**8. SJR 0118 by \*Norris, Gresham, Kyle, Stanley, Ford, O.**

Memorials, Professional Achievement - Mark Luttrell, 2008 Sheriff of the Year - The Abstract summarizes SJR0118 as introduced.

**9. SJR 0133 by \*Johnson, Henry, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney L**

Memorials, Retirement - Gary Myers, Executive Director of TWRA - The Abstract summarizes SJR0133 as introduced.

### **Regular**

**1. \*HB 0067 by \*Fincher (SB 0475 by \*Berke)**

Depositions - As introduced, allows court to award attorney fees and expenses if motion to quash subpoena is granted when deponent is exempt from subpoena. - Amends TCA Section 24-9-101. - The Abstract summarizes HB0067 as introduced.

**2. \*HB 0416 by \*Lundberg (SB 0548 by \*Norris)**

Attorneys at Law - As introduced, clarifies that certain government employees are not prohibited from providing pro bono legal services. - Amends TCA Title 8; Title 16 and Title 23.

**3. \*HB 0411 by \*Pitts, Bass (SB 0383 by \*Barnes)**

Firearms and Ammunition - As introduced, creates Class A misdemeanor offense of attempting to buy firearm when prohibited by law from possessing firearm and attempting or selling firearm to person known to be prohibited by law from possessing firearm. - Amends TCA Title 39, Chapter 17, Part 13. - The Abstract summarizes HB0411 as introduced.

**4. \*HB 0254 by \*Casada, Fincher, Moore, Evans (SB 0554 by \*Norris)**

Firearms and Ammunition - As introduced, deletes requirement that the purchaser of a firearm give a thumbprint as part of background check process and that the TBI furnish thumbprint cards and pads to firearm dealers. - Amends TCA Title 39, Chapter 17, Part 13. - The Abstract summarizes HB0254 as introduced.

**5. \*HJR 0059 by \*Harmon**

General Assembly, Studies - Continues special joint committee established by HJR 909 of 105th General Assembly to study Tennessee's transportation funding system. - The Abstract summarizes HJR0059 as introduced.

**HOUSE CONVENES AT 9:00 A.M., THURSDAY, MARCH 12, 2009**